

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

EDDIE J. HAYNES,

PLAINTIFF,

v.

CITY OF MONTGOMERY,

DEFENDANT.

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CASE No. 2:06-CV-1093-WKW

DEFENDANT'S MOTION FOR PROTECTIVE ORDER
ON PLAINTIFF'S MOTION TO COMPEL

COMES NOW Defendant City of Montgomery, and moves the Court to enter a Protective Order, and submits unto the Court the following:

1. On December 11, 2007, a hearing was held on Plaintiff's Motion to Compel (Doc. #22) and the Motion was granted in part and denied in part. (Doc. #26).
2. During the hearing, the Court also recognized that the documents that were to be provided by Defendant to Plaintiff contained confidential information and would be protected.
3. Prior to the filing of this motion, Counsel for Defendant presented Plaintiff's counsel for review and consent, a copy of the proposed order attached hereto.

DONE this the 13th day of December, 2007.

/s/ Kimberly O. Fehl
Kimberly O. Fehl (FEH001)
Allison H. Highley (HIG024)
Attorneys for Defendant

OF COUNSEL:

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CERTIFICATE OF SERVICE

I hereby certify that foregoing has been served upon the following by electronic filing/notification through CM/ECF with United States District Court Middle District of Alabama on this 13th day of December, 2007:

Gerald L. Miller, Esq.
REDDEN, MILLS, & CLARK
940 Financial Center
505 North 20th Street
Birmingham, AL 35203

/s/ Kimberly O. Fehl
Of Counsel

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CASE No. 2:06-CV-1093-WKW

PROTECTIVE ORDER ON MOTION TO COMPEL

On December 11, 2007, a hearing was held on Plaintiff's Motion to Compel (Doc. #22). For the reasons stated on the record, the Plaintiff's Motion to Compel was granted in part and denied in part (Doc. #26). For the part of the Motion that was granted, it is hereby:

ORDERED that the records that the City of Montgomery is producing and all the information contained therein, are to be used by the parties and their counsel, solely for the purposes of this litigation; it is further

ORDERED that said records shall either be destroyed or returned to the City of Montgomery immediately upon conclusion of this action.

DONE this the ____day of December, 2007.

WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE